



**Agenda Item Number:** \_\_\_\_\_

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** January 26, 2010

**Department:** Zoning, Building, Planning **Staff Contact:** Nano Chavez, Planning Manager

**TITLE:** CONSENT: Cancel Special Use Permit for a Single Family Dwelling, Liquefied Petroleum Sales, Outside Storage of Propane Tanks, Garage, Service Dock, Office & Sign (CSU-75-51)

### **COUNTY PLANNING COMMISSION RECOMMENDATION:**

Cancellation

### **SUMMARY:**

At the November 4, 2009 hearing, the County Planning Commission voted (6-0: Commissioner Sanchez excused) to recommend cancellation of a Special Use Permit for a Single Family Dwelling, Liquefied Petroleum Sales, Outside Storage of Propane Tanks, Garage, Service Dock, Office & Sign on Tract B, Land of Gene Newman, located at 1184 Old Highway 66 East, zoned C-1, and containing approximately 1 acre. The decision was based on the following Findings:

1. This is a request for the cancellation of a Special Use Permit for a Single Family Dwelling, Liquefied Petroleum Sales, Outside Storage of Propane Tanks, Garage, Service Dock, Office & Sign located on Tract B, Land of Gene Newman, located at 1184 Old Highway 66 East, and zoned C-1
2. The property owner has failed to comply with Sections 18.H.1 and 18.H.2 of the Zoning Ordinance which states if the use is discontinued for a period of 12 months the Special Use Permit shall be cancelled. The Special Use Permit for a Single Family Dwelling, Liquefied Petroleum Sales, Outside Storage of Propane Tanks, Garage, Service Dock, Office & Sign has been discontinued since July 2007.
3. The current use of the property is detrimental to the health, safety and general welfare of the residents of Bernalillo County.
4. The property owner has failed to comply with the approved site plan.
5. The existing C-1 zone does not deny the owner reasonable use of the property.
6. The property owner for this Special Use Permit has indicated a desire to continue the Special Use Permit. However, the applicant has failed to re-establish the use for the site.

**ATTACHMENTS:**

1. County Planning Commission Notice of Decision Letter (November 9, 2009)
2. County Planning Commission Information Packet

**STAFF ANALYSIS SUMMARY****ZONING, BUILDING & PLANNING:**

Cancel the Special Use Permit

*VERSION 5.0*